

Message Text

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ORIGIN EB-07

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DRAFTED BY EB/AN:TROESCH:DAP

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

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E.O. 11652:N/A

TAGS: EAIR, ID

SUBJECT: CIVAIR: GARUDA'S CAB APPLICATION

1. ON SEPTEMBER 3, 1976, CAB'S BUREAU OF OPERATING RIGHTS ISSUED ITS POSITION TO LAW JUDGE ON GARUDA APPLICATION. BOR RECOMMENDS A PERMIT BE ISSUED BUT THAT GARUDA SHOULD FILE SCHEDULES IN ADVANCE, SUBJECT TO DISAPPROVAL, INCLUDING REQUESTS FOR EXTRA SECTIONS (GENERALLY ONE TIME REQUESTS) AND ALL-CARGO FLIGHT; THAT CHARTER AUTHORITY SHOULD BE GRANTED SUBJECT TO 1:1 RATIO BETWEEN CHARTER FLIGHTS ORIGINATING IN INDONESIA TO THOSE ORIGINATING IN U.S.; THAT BOARD SHOULD AUTHORIZE MAXIMUM 2 WIDE BODY (4 NARROW BODY) FLIGHTS PER WEEK BUT, PENDING SUBSEQUENT AMENDMENT OR UNDERSTANDING RELATED TO U.S.-INDONESIAN AIR TRANSPORT AGREEMENT, DISAPPROVE SCHEDULES IN EXCESS OF ONE WIDE BODY (2 NARROW BODY) FLIGHT PER WEEK; AND THAT AUTHORITY SHOULD BE LIMITED TO TWO YEAR PERIOD.

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2. ALTHOUGH BOR'S RECOMMENDATION NOT BINDING ON LAW

JUDGE, IT USUALLY REFLECTS VIEWS OF CAB STAFF AND CARRIES
WEIGHT IN BOARD'S ULTIMATE DECISION. WHILE BOR POSITION
IS SEEN AS RESTRICTIVE, IT GENERALLY FOLLOWS TYPE OF

ARRANGEMENT BEING CONSIDERED IN U.S.-INDONESIA NEGOTIA-
TIONS.

3. DEPARTMENT ASSUMES GARUDA HAS ALREADY BEEN INFORMED
OF BOR RECOMMENDATION BY ITS LAWYER. HOWEVER, EMBASSY,
AT ITS DISCRETION, MAY WISH TO PASS SUBSTANCE OF RECOM-
MENDATIONS ON TO GOI CIVAIR AUTHORITIES. KISSINGER

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